

SENATE BILL 274
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 3, Part 5, relative to death determination and pronouncement by registered nurses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-3-511, is amended by deleting the section in its entirety and by substituting instead the following:

Section 68-3-511.

(a) A registered nurse may make the actual determination and pronouncement of death under the following circumstances:

(1) The deceased was suffering from a terminal illness;

(2) Death was anticipated, and the attending physician and/or the hospice director has agreed in writing to sign the death certificate. Such agreement by the attending physician or hospital or hospice medical director must be present and with the deceased at the place of death;

(3) Prior to death, the deceased had been receiving the services of a Medicare-certified hospice program licensed by the state;

(4) The nurse is licensed by the state; and

(5) The nurse is employed by the attending hospice program.

(b) A registered nurse may make the actual determination and pronouncement of death under the following circumstances:

(1) The deceased was a resident of a nursing home or an in-patient in a hospital and was not maintained on artificial life-supporting devices at the time of the deceased's death;

(2) Death was anticipated, and the attending physician or the hospital or nursing home medical director has agreed in writing to sign the death certificate. Such agreement by the attending physician or the hospital or nursing home medical director must be present and with the deceased at the place of death;

(3) The nurse is licensed by the state; and

(4) The nurse is employed by the nursing home in which the deceased resided or by the hospital in which the deceased was receiving in-patient treatment.

(c) A registered nurse may make the actual determination and pronouncement of death under the following circumstances:

(1) The deceased was receiving the services of a licensed home care organization;

(2) Death was anticipated, and the attending physician has agreed in writing to sign the death certificate. Such agreement by the attending physician must be present with the deceased at the place of death;

(3) The nurse is licensed by the state; and

(4) The nurse is employed by the home care organization providing services to the deceased.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.